

### **REMARKS**

This application has been reviewed in light of the final Office Action mailed on March 17, 2009. Claims 1-23 are pending in the application with Claims 1, 18, 22 and 23 being in independent form.

Examiner notes that he restructured the previous rejection under 35 U.S.C. Section 102(b). Applicant assumes that this rejection has therefore been withdrawn. Examiner is respectfully requested to acknowledge that the rejection under 35 U.S.C. Section 102(b) has been withdrawn.

In the final Office Action, Claims 1-10, 17-18 and 22-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Non-patent literature “Reliable Multicast Protocol with a Representative Acknowledgment Scheme for Wireless Systems” to Inoue et al. (Inoue et al.) and further in view of U.S. Patent Application Publication No. 2002/0133615 to Satran et al. (Satran et al.); Claims 11-12 and 15-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Inoue et al. and Satran et al. as applied to Claims 1 and 4 above, and further in view of U.S. Patent Application Publication No. 2003/0207696 to Willenegger et al. (Willenegger et al.); Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Inoue et al. and Satran et al. as applied to Claim 4 above, and further in view of U.S. Patent No. 6,044,069 to Wan (Wan); and Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Inoue et al., Satran et al. and Wan as applied to Claim 13 above, and further in view of Willenegger et al.

It is respectfully submitted that Claims 1-23 are patentable over Inoue et al., Willenegger et al., Wan and Satran et al. for at least the following reasons.

Inoue et al. is directed to a representative acknowledgment scheme for reliable wireless multicast communications. The proposed protocol carries out retransmissions in the datalink layer within the wireless region, and, according to Inoue et al., retransmissions do not affect the traffic in the wired region. The representative acknowledgment scheme employs both positive acknowledgment (ACK) and negative acknowledgment (NACK) to achieve multicast transmissions and reduces the number of responses to be returned by forming groups of stations in the cell. One of the members in a group, called a representative station, returns a response for a received data frame while the others return a NACK if necessary.

The Examiner acknowledges that Inoue et al. is silent on the claim language of transmitting the confirmation message from the transmitting station to at least one third receiving station of the plurality of first receiving stations. The Examiner relies on Satran et al. to address the deficiencies of Inoue et al. with respect to independent Claims 1, 18, 22 and 23. The Examiner states Satran et al. discloses a receiving station which sends a confirmation message back to the transmitting station, at which point the transmitting station immediately multicasts the confirmation message to the other receiving stations.

In particular, Satran et al. is directed to a multicasting system where content is multicast from a sender to a plurality of receivers over a data network. According to Satran et al., each receiver independently determines whether it is missing elements or packets of the content. Receivers having missing content each initiate a random timer. The receiver which has the shortest random interval unicasts a **negative acknowledgement (NACK)** to the sender; the sender immediately multicasts the negative acknowledgement to the other receivers. All other receivers having the same missing packet thereupon suppress their own negative acknowledgements as to that packet. A repair transmission is then multicast by the sender to all

receivers. The negative acknowledgement which is unicast by the receiver and then multicast by the sender to all receivers relates to an unsuccessful receipt of a data packet by the receiver.

By the present amendment, independent Claims 1, 18, 22 and 23 have been amended in response to the Examiner's statements in paragraph 2 of the final Office Action. The Examiner states that Satran et al. teaches that "the negative acknowledgement is sent by one of the plurality of receiving stations if the receiving station detects that there is a missing portion of the received data, thereby detecting that the received data is unable to be decoded error-free. Thus, the negative acknowledgement does relate to the decoding of the data."

Applicant respectfully submits that the negative acknowledgement of Satran et al. does not relate to the decoding of the data because no acknowledgement is sent if the decoding is initiated and is successful, the negative acknowledge is sent if there is missing data and decoding is not initiated. Accordingly, the negative acknowledgement relates to data packet assembly and whether the data packet assembly is proper for further processing of the data packet by the receiving stations.

Nonetheless, Applicant amended each of the independent claims to better clarify and patentably distinguish Applicant's recited subject matter over the disclosures of Inoue et al. and Satran et al. Applicant has amended the independent claims to state that the confirmation message relates to a decoding of the data after an initiation of the decoding of the data. The disclosures of Inoue et al. and Satran et al. do not relate to a confirmation message being sent after an initiation of the decoding of the data.

Specifically, Applicant's Claim 1 has been amended to better clarify that the confirmation message "relates to one of a successful and unsuccessful decoding of the data after initiation of decoding of the data by the at least one second receiving station of the plurality of first receiving

stations.” Independent Claims 18, 22 and 23 have been amended to recite similar limitations as recited by independent Claim 1. Support for Applicant’s amendments can be found at, e.g., page 23, line 7 to page 28, line 21.

In contrast to Applicant’s independent claims, Satran et al. does not disclose or suggest the transmitting station transmitting a confirmation message which it received from at least one receiving station to at least one receiving station of the plurality of first receiving stations, **where the confirmation message relates to one of a successful and unsuccessful decoding of the data after initiation of decoding of the data at a respective receiving station of the plurality of receiving stations**, as similarly recited by Applicant’s independent Claims 1, 18, 22 and 23. Satran et al. teaches transmitted a negative acknowledgement if the receiving station detects that there is a missing portion of the received data, i.e., prior to an initiation of decoding of the data.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to independent Claims 1, 18, 22 and 23 and allowance thereof are respectfully requested.

Dependent Claims 2-17 and 19-21 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 18, and in addition to their own recited subject matter. Further, the new references cited by the Examiner with respect to Claims 13 and 14 do not address the deficiencies of Inoue et al. and Satran et al. with respect to the independent claims.

Accordingly, the withdrawal of the rejections under 35 U.S.C. §103(a) with respect to dependent Claims 2-17 and 19-21 over at least one of Inoue et al., Willenegger et al., Wan and Satran et al. and allowance thereof are respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-23, are believed to be in condition for allowance.

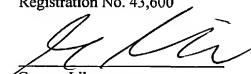
If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the undersigned.

Respectfully submitted,

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